

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 4, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-15212 - APPLICANT/OWNER: RICHARD EHRLICH**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be described as the blanket public utility easements granted with the Final Map for Vegas Green Townhouses.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required for the Owens and Lamb subdivision may be used to satisfy this requirement provided that it addresses the easements to be vacated.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. All development shall be in conformance with code requirements and design standards of all City Departments.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This petition is to vacate the public utility easements generally located south of the intersection of Vegas Green Trail and east Van Buren Avenue.

**EXECUTIVE SUMMARY**

The applicant seeks a vacation of the permanent blanket utility easement granted per the Final map for Vegas Green Townhouses as it is no longer needed.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 03/16/83      The Board of City Commissioners approved a request for a Rezoning from R-E (Residence Estates) to R-PD9 (Residential Planned Development – 9 Units Per Acre) for a portion of the subject property. The Planning Commission and staff recommended approval.
- 04/19/00      The City Council approved a General Plan Amendment (GPA-0043-99) from ML (Medium-Low Density Residential) to M (Medium Density Residential), a Rezoning (Z-0066-99) from R-E (Residence Estates) to R-3 (Medium Density Residential), and a Site Development Plan Review [Z-0066-99(1)] for a 96-unit multi-family residential complex on a portion of the subject property. The Planning Commission and staff recommended approval. The Rezoning and Site Development Plan Review expired on 04/19/02.
- 12/06/00      The City Council accepted the applicant's request to withdraw without prejudice a General Plan Amendment (GPA-0026-00) from ML (Medium-Low Density Residential) to M (Medium Density Residential) for a portion of the subject property. The Planning Commission and staff recommended approval. The City Council also accepted the applicant's request to withdraw without prejudice a Rezoning (Z-0080-00) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units Per Acre) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0080-00(1)] for a proposed 288-unit multi-family development on a portion of the subject property. The Planning Commission and staff recommended approval.

- 10/18/01 The Planning Commission approved a Site Development Plan Review [Z-0066-99(2)] for a proposed 95-unit multi-family residential development on a portion of the subject property. Staff recommended approval. The approval expired 10/18/03.
- 08/21/02 The City Council tabled a General Plan Amendment (GPA-0017-02) from ML (Medium-Low Density Residential) to M (Medium Density Residential) and a Rezoning (Z-0040-02) from R-E (Residence Estates) to R-3 (Medium Density Residential) on a portion of the subject property for the applicant to revise the site plan, which included a proposed 224-unit multi-family residential development. The Planning Commission and staff recommended approval of the General Plan Amendment with the recommendation that the request be amended to an MLA (Medium-Low Attached Density Residential) land use classification. The Planning Commission and staff recommended denial of the Rezoning.
- 01/19/05 The City Council approved a General Plan Amendment (GPA-4548) from ML (Medium-Low Density Residential) to M (Medium Density Residential) for the subject property; a Rezoning (ZON-4554) from R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units Per Acre) to R-PD12 (Residential Planned Development - 12 Units Per Acre); a Variance (VAR-4677) to allow less than the minimum amount of required open space; and a Site Development Plan Review (SDR-4555) for a proposed 166-lot single-family residential development on the subject site. Staff recommended approval of the request to amend the General Plan and denial of all other items.
- 09/07/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/mh).

***B) Pre-Application Meeting***

A pre-application meeting is not required for this type of application

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

The subject Vacation request proposes to Vacate a Utility Easement generally located northeast of the intersection of Vegas Green Trail and East Van Buren. This Easement is described as follows:

The Southeastern thirty three feet (333') of property located at the intersection of Vegas Green Trail and East Van Buren; said property being a portion of the Eastern half (E½) of the Northern half (N½) of the northeast quarter (NE¼) of Section 30, Township 20 South, Range 62 East, M.D.M.

## **ANALYSIS**

### ***A) Planning discussion***

### ***B) Public Works discussion***

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *NO*
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *NO*
- C. Does it appear that the vacation request involves only excess right-of-way? *NO*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *NO*
- E. Does this vacation request eliminate public street access to any abutting parcel?
- F. Does this vacation request result in a conflict with any existing City requirements? *NO*
- G. Does the Department of Public Works have an objection to this vacation request? *NO*

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT** 14

**SENATE DISTRICT** 2

**NOTICES MAILED** 216 by City Clerk

**APPROVALS** 0

**PROTESTS** 0